

## AGENDA

### FOR THE REGULAR MEETING OF THE CITY COUNCIL

FOR THE CITY OF THORNE BAY, ALASKA

COUNCIL CHAMBERS OF CITY HALL

120 FREEMAN DRIVE

**Tuesday July 2, 2019**

6:30 p.m.

*The meeting will be preceded by a workshop beginning at 6:00 p.m.*

*The public is invited and encouraged to attend*

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1. CALL TO ORDER:

2. PLEDGE TO FLAG:

3. ROLL CALL:

4. APPROVAL OF AGENDA:

5. MAYOR'S REPORT:

6. ADMINISTRATIVE REPORTS:

a. City Administrator's Report:

b. City Clerk Report:

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7. PUBLIC COMMENTS:

8. COUNCIL COMMENTS:

9. CONSENT AGENDA:

a. MINUTES:

i. Minutes of the June 18, 2019, Regular City Council Meeting, discussion and action item:

ii. Minutes of the June 4, 2019, Regular City Council Meeting, discussion and action item:

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10. NEW BUSINESS:

a) Review of Thorne Bay Fisheries Association Activities, discussion and possible action item:

b) Closing the Fisheries Savings Account held in the City of Thorne Bay's Tongass Accounts, discussion and action item:

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## 11. ORDINANCE FOR INTRODUCTION:

- a) Ordinance 19-07-16-01, Amending Title 2.48-Planning Commission, adding Section
- b) Ordinance 19-07-16-02, Amending Title 12-Streets, Sidewalks and Public Places, Chapter and Section 12.09.010-Streets and Roads Commission, discussion and action item:

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## 12. EXPENDITURES EXCEEDING \$2,000.00:

- a) Expenditure of \$3,500.00 to CMI for VOLVO Excavator Repairs, discussion and action item:
- b) Expenditure to CBC Construction for Water Plant GENERATOR Installation discussion and action item:...
- c) Expenditure to DOWL for \$3,960.00, for obtaining DEC approval to construct drain field for caretaker facility, discussion and action:
- d) Discussion of upcoming expenditures for repair the Solid Waste Baler, discussion and possible action item:
- e) Approving the expenditure of \$4,000.00 for library repairs and capital improvements, discussion and action item:

**13. EXECUTIVE SESSION** : The Council May adjourn to executive session for the purpose of discussing pending or threatened lawsuits in which the city has an interest, which are matters, the immediate knowledge of which would clearly have adverse effect upon the finances of the city.

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## 14. CONTINUATION OF PUBLIC COMMENT:

## 15. CONTINUATION OF COUNCIL COMMENT:

## 16. ADJOURNMENT:

POSTED: June 28, 2019

City Hall, AP Market, The Port, USFS , SISD & Thorne Bay  
School, Riptide Liquor City Website: [www.thornebay-ak.gov](http://www.thornebay-ak.gov)

## MINUTES

### FOR THE REGULAR MEETING OF THE CITY COUNCIL

FOR THE CITY OF THORNE BAY, ALASKA

COUNCIL CHAMBERS OF CITY HALL

120 FREEMAN DRIVE

**Tuesday June 04, 2019**

6:30 p.m.

*The meeting will be preceded by a workshop beginning at 6:00 p.m. The public is invited and encouraged to attend*

#### 1. CALL TO ORDER:

Burger called the meeting to order at 6:30 p.m.

#### 2. PLEDGE TO FLAG:

The audience and council stood for the pledge to the flag.

#### 3. ROLL CALL:

Those present were Burger Carlson, Edenfield, Williams, Slayton, Minnillo

McDonald attended by phone

#### 4. APPROVAL OF AGENDA:

Burger moved to approve the agenda. Slayton seconded the motion.

MOTION: Move to approve the agenda.

F/S: Burger/Slayton

YEAS: Minnillo, McDonald, Carlson, Edenfield, Burger, Williams, Slayton

NAYS: None

STATUS: Motion Passed

#### 5. MAYOR'S REPORT:

None

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## **6. ADMINISTRATIVE REPORTS:**

### **c. City Administrator's Report:**

#### **Meetings Attended and Updates:**

- A.** POWCAC mtg May 28 at Hollis had a presentation on the 2020 Census from Barb Miranda. She stressed how important the census is as the results are used for the allocations of funding for all programs that use federal dollars, such as schools and PILT funds.
- B.** Weekly construction meeting for Water upgrade project.
- C.** I will be gone June 12-19 for the check up on my hip but will be working and can participate in the June 18<sup>th</sup> meeting.

#### **Tasks and Projects:**

- A.** Work is underway on the water treatment plant upgrades. The shed on the back is gone as is the old concrete walk way around the building and the portion of the building housing the generator. Electricians and plumbers were on site today to prepare moving electrical and plumbing that must be relocated to accommodate the work. Work was halted today when it was discovered a fawn was bedded down under the generator in the oil.
- B.** Teri and I are still working through the process of how the city can issue tickets. To issue tickets on vehicles for example, requires getting the correct ownership of the vehicle as this is a critical part of the ticket the courts must have. The VPSO program at this time is hesitant to enforce municipal codes hence will not provide registration information to a city employee, the State Troopers can only enforce state. We are currently looking into the VPO program which is a step up from a VPSO and a step down from a City police officer. We are also looking at the possibility of contracting with Klawock who has discussed the idea in the past.

#### **New Business:**

- A.** Resolution 19-06-04-01 is supporting the Rural Utility APT Power Extension to Greentree Heights. This is a resolution in support of the city filling for a grant but is not involved with the funding of the project as it is all grant funds. The city has been a pass through entity for grants in the past.
- B.** Resolution 19-06-04-02 authorizing Davidson Landing to serve as an absentee voting location for Local Municipal Elections. Teri can address any questions.

#### **Ordinances for Introduction:**

- A. Ordinance 19-06-18-01 approving the City of Thorne Bay Budget for the Fiscal Year 2020. Teri and I can answer questions. Because it has been so busy the last few weeks my yearly budget narrative is still only in draft form and will be ready for the next council meeting.

**Expenditures over \$2000**

\$2,352 is to OVK for road grading

**Executive Session: YES**

**Harbors and Parks:** Both harbors are basically full and with two full harbors and facilities to maintain the workload is becoming more than one person can keep up with because this time of year it is a seven-day job. Guest are starting to arrive as almost nightly we have a boat in the guest moorage. Looks like in the last few days there has been fuel stolen from both Davidson Landing and the City Harbor and appears to be done by water to avoid the cameras.

**Streets and Roads:** Working on a plan to repair some of the holes that have developed in the asphalt and repair a couple of the sink holes. Now that most all the sand has been removed from the DNR pit that the city has been getting sanding material we will be looking at other alternatives to maintain the icy roads.

**Water and Sewer:** Work continues on water meter replacement. Sam will be on leave the next couple weeks so Dave will be the sole operator, so hopefully operations run smoothly. The I and I grant program will gear up now that the weather is nice.

**Solid Waste:** Discount dump day was successful. 42,850# which is consistent with the last couple years. But financially the city lost approximately \$4938. We also had the same couple of people bring heaping pickup loads of household trash, on person 3 large pickup loads piled cab high

**Law Enforcement:** Just waiting to hear any news about a new VPSO

**FIRE/EMS:** Klawock is looking for daytime employees to help cover Thorne Bay.

**Special Projects:**

**Library:** Library is closed this week for some remodeling, cleaning and the installation of a new upgraded computer system that the friends of the library purchased.

d. **City Clerk Report:**

No report given.

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## 7. PUBLIC COMMENTS:

### **Rodger Longbothom commented on the following:**

1. Thanked councilman Minnillo and Edenfield for attending the meeting at Davidson Landing on June 3<sup>rd</sup>; Positive comments and outcomes
2. Extra thanks for Former Councilmember Hartwell and other Northside Residents who had a lot of positive light to Shed.
  - Explained the purpose of the meeting was to address problems and solutions that the city government should be focusing on.
3. Informed the council that residents had been provided the opportunity to participate in a survey to help identify these problems and solutions.
  - a. Question 1-Please identify three problem areas the City should focus on
  - b. Question 2 – Please provide suggestions, solutions for above named problems.
4. Results provided 10 areas of concern and Mr. Longbottom shared the top 5
  - i. Administration
  - ii. Council leadership
  - iii. Emergency Services
  - iv. Roads
  - v. Telecommunications

### **Patrick Tierney commented on the following:**

1. Thanked the council and citizen for the continued support of the yellow cedar project. The school planted in the park are two yellow cedar planted in honor of Arbor Day.

### **Sean Kaer commented on the following:**

1. Commented that the Harbormaster has the authority to address the issues of junked vehicles
2. In response to comments of people stealing at the harbor and being on camera, they need to be arrested.
3. Encouraged the City to fill the empty slips at Davidson Landing

**John Stram commented on the following:**

1. Encouraged the City to appoint individuals to the Planning and Streets Commissions that were advertised in December. He, along with 6 others submitted their applications and are interested in serving on these boards.

**Deann Minnillo commented on the following:**

1. Commented on the wonderful selection of materials that are provided at the public library. Encouraged people to visit the library to see everything they have available to residents. .

**Brad Clark:**

1. Thanked the City for the lighting at Davidson Landing
2. Informed the council and audience that he had privilege to run a town hall meeting and work toward community, not division
3. Would appreciate knowing where the Council stands on the Zoning Commission.

**Eric Rhodes:**

1. Open Invitation to anyone wanting to volunteer for the fire department on Southside. Invited those interested to contact him for the application.

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**8. COUNCIL COMMENTS:**

**Minnillo commented on the following:**

1. Request for clarification from Mr. Sean Kaer, was he in favor or not in of cars being taken? Kaer replied he was in favor.
2. Requested an update on the City's position on appointing the Planning Commission?

**Slayton commented on the following:**

1. Inquired about the Charter Halibut Permits and concerns that were raised at prior meetings.

**Williams commented on the following:**

1. Requested the council consider hiring a part time Police Officer that would also serve as a First Responder. This position would be in charge of the EMS and enforcing the municipal laws.
2. Williams stated that Law and Order and Safety are the responsibility of the council and we need let the people know we are doing something
3. Commented that the City may need to consider an increased sales tax to fund a part time Police Officer position.

**Carlson commented on the following:**

1. Commented on the Thorne Bay EMS and the need for having Klawock in the first place being that the TNB EMS Did not have a Doctor to sponsor them. Suggested that now there is a clinic next door, there may be a possibility of getting a Dr. to sponsor the EMS.
2. Stated she also wanted a Planning and Zoning Commission formed.

**McDonald commented on the following:**

1. Stated the hold up on the appointment of a Planning Commission was there were only 5 or 6 applicants and the City wanted 7, that way if one were sick, there would still be a quorum
2. Commented on the law enforcement issues. The City has been working hard on getting the VPSO over here and have not getting anywhere.

**Edenfield commented on the following:**

1. Answered Carlson's question regarding the Thorne Bay EMS having a Dr. to sponsor them. Thorne Bay EMS did not have a sponsor because they did not have a large enough squad. We have been providing training at the school, but most are older and cannot do the work anymore. Throne Bay EMS needs young abled bodies.

2. We did get recognized by the Governor in 2009 for a 28-person squad and would like to get there again.

**Slayton commented on the following:**

1. Commented in favor of Councilman Williams's suggestion of a Police Officer position that headed the EMS.
2. Slayton commented that the council needed to do something for the City Law Enforcement and EMS. The problems are when people don't have the heart for the job it falls apart quick.

**McDonald:**

1. The only other option rather than a VPSO, would be a police officer, but I would suggest that they not be permitted to carry a firearm. The insurance on that is extremely costly.

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**9. CONSENT AGENDA:**

a. **MINUTES:**

- iii. Minutes of the May 14, 2019, Special City Council Meeting, discussion and action item:

Burger moved to approve the minutes for the May 14, 2019, Special Meeting of the City Council. Edenfield seconded the motion.

MOTION: Move to approve the Minutes for the May 14, 2019, Special City Council Meeting  
F/S: Burger/Edenfield  
YEAS: Carlson, Burger, Slayton, Minnillo, McDonald, Williams & Edenfield  
NAYS: None  
STATUS: Motion Passed.

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**10. NEW BUSINESS:**

- a) Resolution 19-06-04-01, Supporting the Rural Utility APT Power Extension to Greentree Heights, discussion and action item:

Burger moved to approve that we support with Resolution 19-06-04-01.

Slayton seconded the motion. McDonald explained that this was for APT to get a grant. There was further discussion.

MOTION: Move to approve Resolution 19-06-04-01  
F/S: Burger/Slayton  
YEAS: Williams, Slayton, Carlson, Burger, McDonald, Edenfield & Minnillo  
NAYS: None  
STATUS: Motion Passed.

- b) **Resolution 19-06-04-02**, Authorizing Davidson Landing to serve as an absentee voting location for Local Municipal Elections, discussion and action:

Burger moved to approve Resolution 19-06-04-02. Williams seconded the motion. Williams asked about who man would, how when and where. City Clerk explained. There was further discussion.

MOTION: Move to approve Resolution 19-06-04-02  
F/S: Burger/Williams  
YEAS: Carlson, Burger, Minnillo, Slayton, McDonald & Williams  
NAYS: Edenfield  
STATUS: Motion Passed.

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## 11. ORDINANCE FOR INTRODUCTION:

- a) **Ordinance 19-06-18-01**, approving the City of Thorne Bay Budget for the Fiscal Year 2020, discussion and action item:

Burger moved to approve ordinance 19-06-18-01. Carlson seconded the motion. McDonald stated the budget was a living document. We cannot put solid numbers in, so through the years we do have needs to amend for variations that come in. There was further discussion.

MOTION: Move to approve Ordinance 19-06-18-01  
F/S: Burger/Carlson  
YEAS: Burger, Slayton, Edenfield, Minnillo, Williams, Carlson & McDonald  
NAYS: None  
STATUS: Motion Passed.

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## 12. ORDINANCE FOR PUBLIC HEARING:

**NONE**

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**13. EXPENDITURES EXCEEDING \$2,000.00:**

- a) Authorizing an expenditure exceeding \$2,352.00, to Organized Village of Kasaan for road grading, discussion and action item:

Burger moved to approve the expenditure to OVK. Slayton seconded the motion. No further discussion.

MOTION: Move to approve Expenditure  
F/S: Burger/Slayton  
YEAS: Carlson, Minnillo, Burger, Slayton, McDonald, Edenfield & Williams  
NAYS: None  
STATUS: Motion Passed.

**14. EXECUTIVE SESSION:** The Council May adjourn to executive session for the purpose of discussing pending or threatened lawsuits in which the city has an interest, which are matters, the immediate knowledge of which would clearly have adverse effect upon the finances of the city.

- a. The City Council may adjourn to executive session to consult with the City Attorney on legal matters, discussion and action item:

Burger Moved to adjourn to executive session to consult with the City Attorney on legal matters. Minnillo seconded the motion. McDonald invited City Clerk and City Administrator to attend.

MOTION: Move to adjourn to executive session to consult with the City Attorney on legal matters  
F/S: Burger/Minnillo  
YEAS: Carlson, Burger, Slayton, Minnillo, McDonald, Edenfield & Williams  
NAYS: None  
STATUS: Motion Passed.

Reconvened at 8:12

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**15. CONTINUATION OF PUBLIC COMMENT:**

**Rodger Longbothom commented on the following:**

1. Conflicting Election Date on the City Website.

**Brad Clark commented on the following:**

1. Invited people to attend the town hall meetings that they are holding. There will be three more meetings and are held first Monday of every month. Next meetings will be:
  - a. July (Goose Creek)
  - b. August – (North Thorne Bay)
  - c. September - (South Thorne Bay)

Encouraged to participate, no attacks on anyone and encourage all to attend. Trying to keep positive as can, no attacks allowed on Politian's.

**Eric Rhodes commented on the following:**

1. Requested the City Council change the way the Mayor is elected. Alaska Statutes Title 29.22.30 (d), says the Mayor of a Second-Class City can be elected two ways:
  - a. by the council, from the council, and
  - b. Elected by public.

**Jon Stram commented on the following:**

1. Requested that the City get started with the Planning Commission based on current applicants and continue to notify people of additional vacancies.

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**16. CONTINUATION OF COUNCIL COMMENT:**

**Mark Minnillo:**

1. Inquired if there was a conflict if more than 3 councilmembers attended a function.

City Clerk stated that if it was a publicly noticed event, no action was taken, then there was no conflict. It just needed to be noticed to the public, and open to the public.

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**17. ADJOURNMENT:**

Burger adjourned the meeting at 8:14 p.m.

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Harvey McDonald, Mayor

ATTEST:

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Teri Feibel, CMC

CITY OF THORNE BAY  
ORDINANCE 19-07-16-01

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF THORNE BAY, ALASKA,  
AMENDING TITLE 2-ADMINISTRATION AND PERSONNEL, CHAPTER 2.48-PLANNING  
COMMISSION,

BE IT ENACTED BY THE CITY COUNCIL FOR THE CITY OF THORNE BAY, ALASKA

- Section 1. Classification. This ordinance is of a general and permanent nature, the chapter and section hereby amended shall be added to the Thorne Bay Municipal Code.
- Section 2. Severability. If any provisions of this ordinance or any application thereof to any person or circumstances is held invalid, the circumstances shall not be affected thereby.
- Section 3. Amendment of Chapter. The Title and Chapter of the TBMC Title 2-Administration and Personnel, Chapter 2.48-Planning Commission, is hereby amended and added to the thorne bay municipal code.
- Section 4. Effective Date. This ordinance shall become effective upon adoption.

**PASSED AND APPROVED July 16, 2019**

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Harvey McDonald, Mayor

ATTEST:

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Teri Feibel, City Clerk

[Introduction: July 2, 2019]  
[Public Hearing: July 16, 2019]

ADDITIONS ARE IN BOLD AND CAPITALIZED

Deleted items are ~~stricken~~

## Thorne Bay Municipal Code

### CHAPTER 2.48

#### PLANNING COMMISSION

##### SECTION 2.48 2.48.100 PLANNING COMMISSION DUTIES.

###### 2.48.010 ESTABLISHED-PURPOSE.

There is established the planning commission for the city to constitute a department of the city and to perform the city-wide functions of planning, platting and zoning for the city, and to advise the chief executive officer and city council of them. The City Council may perform any one or all of the city-wide functions of planning, platting and/or zoning. The Chief executive officer or his delegate shall serve as the city planning official until such time as he appoints, and the City Council confirms another to perform that function. (Ord. 92-18 § 4(part), 1992: Ord. 85-02-14-01 § 10, 1985)(Ord. 12-04-03-01)

###### 2.48.020 COMMISSION MEMBERSHIP.

- A. The planning commission shall consist no more than 11 and no less than five qualified city voters from the community.
- B. Members of the commission must keep current any accounts held with the City (i.e., utilities, lease payments, rents, sales tax, etc.) any member whose accounts fall into delinquency may be removed from the commission by the chief executive officer. City Council will consider financial or other hardship.
- C. Any person declaring candidacy for the planning commission shall not be considered until the persons accounts are made current. City Council will consider financial or other hardships.
- D. Members shall be appointed by the chief executive officer, subject to confirmation by the city council, for a term of three years. Appointments to fill vacancies are for the unexpired term. The compensation and expenses of the planning commission and its staff are paid as directed by the chief executive officer. (Ord. 02-06-06-02 § 4 (part), 2002: Ord. 92-18 § 4(part), 1992: Ord. 88-33 § 4, 1988; Ord. 85-02-14-01 (part), 1986: Ord. 85-02-14-01 § 20, 1985) (Ord. 12-04-03-01)

#### 2.48.025 COMPENSATION OF PLANNING COMMISSION OFFICIALS.

Each member of the planning commission shall receive a compensation at the rate of twenty-five (\$25.00) dollars for each regular meeting attended to consider applications per the City Municipal Code. No compensation shall be paid for attending special meetings unless prior approval by City Council.

#### 2.48.030 COMMISSION OFFICIALS.

The commission shall elect a chairperson to conduct the affairs of the commission, a vice chairperson to serve as chairperson in his absence, a clerk to cause the preparation of the journal of the commission's proceedings, and an assistant clerk to serve as clerk in his absence. (Ord. 92-18 § 4(part), 1992; Ord. 85-02-14-01 § 30, 1985)

#### 2.48.040 VACANCIES.

- A. A vacancy shall be declared, and filled as provided in this chapter, under the following conditions:
  - 1. If a person nominated and confirmed to membership fails to qualify and take office within thirty days following confirmation;
  - 2. If a member is absent from the city for a period of ninety or more days, unless excused by the commission, or moves his residence from the city's voting precinct for a period of ninety or more days;
  - 3. If a member's resignation is submitted and accepted by the commission;
  - 4. If a member misses three or more consecutive regular meetings, unless excused by the commission;
  - 5. If, after written notice to the commission, the city council, by motion and vote, determines that a member's removal and replacement is necessary for the efficient or effective functioning of the commission.
- B. The clerk shall keep attendance records and notify the chairperson when vacancies occur. (Ord. 92-18 §4(part), 1992; Ord. 90-19 §5(part), 1990; Ord. 85-02-14-01 §40, 1985)

#### 2.48.050 MEETINGS.

- A. A regular meeting shall be held to consider applications and scheduled per City Municipal Code. Special meetings and workshops may be called by the commission chairperson or at the request of two commission members, the chief executive officer or two city councilmembers'.
- B. The clerk shall keep the journal of commission proceedings, which shall be public record. Minutes, resolutions, written recommendations and other written records shall be filed with the city clerk.
- C. Meetings shall be conducted under Robert's Rules of Order Newly Revised, or such modified or amended rules as may be adopted by the commission.
- D. A proposed agenda of all regular meetings shall be posted at City Hall, in a place that is available for reading by the general public, at least forty-eight hours before the regular meeting.
- E. Printed notices that announce workshops of the commission shall be posted at City Hall and in no less than five other prominent places within the city no less than twenty-four hours before the workshop is held. Proposed subjects to be discussed at the workshop shall be set forth in the notice. Other subjects not listed in the notice may be discussed at workshops. (Ord. 04-08-03-01 §4, 2004; Ord. 99-23 §6, 1999; Ord. 92-18 §4(part), 1992; Ord. 90-19 §§4(part), 5(part), 1990)

#### 2.48.055 VOTING--QUORUM.

A majority of commission members constitutes a quorum. A majority of affirmative votes are required for passage of a resolution or motion. No official action may be taken by the commission unless a quorum is present in a legally convened meeting of the commission. (Ord. 02-06-06-02 §4(part), 2002; Ord. 92-18 §4(part), 1992; Ord. 90-19 §5(part), 1990)

#### 2.48.060 ORDER OF BUSINESS.

- A. The order of business at regular meetings shall be as prescribed by the commission clerk and approved by the commission.
- B. The order of business at special meetings shall be prescribed by the chairperson. (Ord. 92-18 §4(part), 1992; Ord. 85-02-14-01 §60, 1985)

#### 2.48.070 OFFICE AND STAFF.

- A. The commission shall be provided office space by the city council which is adequate for its needs and adequate to file its correspondence and materials, all of which shall constitute public records of the city.
- B. The commission shall be furnished secretarial assistance at each meeting to assist in preparing its journals and resolutions, and as required to prepare its correspondence under the direction of the commission chairman and clerk. (Ord. 92-18 § 4(part), 1992: Ord. 85-02-14-01 § 70, 1985)

#### 2.48.080 FORMAL COMMISSION ACTS.

- A. All formal actions of the commission shall be by duly approved motion or resolution. Resolutions shall be in the following format:
  - 1. The heading "City of Thorne Bay, Planning Commission";
  - 2. The space for the serial number to be assigned shall be headed by "Resolution No. ";
  - 3. A short and concise title descriptive of its subject and purposes;
  - 4. Short premises, or whereas clauses, descriptive of the reasons for the resolution, if necessary;
  - 5. The resolving clause "BE IT RESOLVED"; and
  - 6. Provision for signatures after the text, "ADOPTED (date)," and designated lines for the signatures of the commission chairperson and the commission clerk.
- B. All resolutions adopted by the commission, whether at the instance of and presented by third parties, or on the motion of and instance of the commission, shall conform to that set forth in subsection A of this section. (Ord. 92-18 § 4(part), 1992: Ord. 85-02-14-01 § 80, 1985)

#### 2.48.090 FUNDS.

All funds the commission receives as fees and charges or otherwise shall be deposited in the general fund of the city as receipts of the activities of the commission. All costs of the commission shall be paid by the city and shall be an operating cost of the city and shall be included in each annual budget ordinance. (Ord. 92-18 § 4(part), 1992: Ord. 85-02-14-01 § 90, 1985)

#### 2.48.100 PLANNING COMMISSION DUTIES.

The planning commission shall:

- A. Subject to Title 17 of this code, prepare and submit to the city council a proposed comprehensive plan in accordance with AS 29.40.030 for the systematic and organized

development of the city. Annually the commission shall review the comprehensive plan and shall recommend appropriate amendments, if any, to the city council.

- B. Subject to the Alaska Coastal Management Act (AS 46.40) and Alaska Administrative Code; 6AAC50, 6AAC80, and 6AAC85, prepare and submit to the city council a proposed coastal management plan. Annually, the commission shall review the coastal management plan and shall recommend appropriate amendments, if any, to the city council.
- C. Prepare, review, recommend and administer measures necessary to implement the coastal management plan and comprehensive plan, including measures provided under AS 29.40.040 and such other land use control measures as the planning commission deems necessary to supplement zoning regulations, land use permit requirements and measures to further the goals and objectives of the coastal management and comprehensive plans.
- D. Prepare and recommend to the city council a subdivision ordinance and the official map of the city and any recommended modifications to these documents.
- E. Publish notice of and hold at least one public hearing before submitting the commission's recommendations under subsections A, B and C of this section to the city council.
- F. Upon adequate notice which shall be provided by the chief executive officer, review annually the capital improvements program of the city and submit the commission's recommendations thereon to the chief executive officer on or before the due date specified in the notice.
- G. Investigate and prepare, upon city council or chief executive officer request, reports and recommendations on city land acquisitions, disposals and development. The report and recommendation shall be based upon the provisions of this chapter, the coastal management plan, the comprehensive plan and the capital improvements program.
- H. Subject to and in accordance with the provisions of Titles 15, 16 and 17 of this code, act as the platting board, act upon requests for variances and act upon requests for conditional uses. No platting request, variance or conditional use may be granted which violates the provisions of AS Section 29.40.040 or Sections 16.36.010 and 16.36.020 of this code.
- I. In the absence of a Streets and Roads Commission, the Planning Commission shall perform all of the duties of the Streets and Roads Commission as set forth in TBMC Chapter 12.09-Streets and Roads Commission. (Ordinance 19-07-16-04

Act as an advisory commission to the chief executive officer and city council regarding planning, platting and zoning. (Ord. 92-18 § 4(part), 1992: Ord. 90-19 §§ 4(part), 5(part), 1990)

CITY OF THORNE BAY  
ORDINANCE 19-07-16-02

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF THORNE BAY, ALASKA,  
AMENDING TITLE 12-STREETS, SIDEWALKS AND PUBLIC PLACES, CHAPTER 12.09,  
SECTION 12.09.010-STREETS AND ROADS COMMISSION

BE IT ENACTED BY THE CITY COUNCIL FOR THE CITY OF THORNE BAY, ALASKA

- Section 1. Classification. This ordinance is of a general and permanent nature, the chapter and section hereby amended shall be added to the Thorne Bay Municipal Code.
- Section 2. Severability. If any provisions of this ordinance or any application thereof to any person or circumstances is held invalid, the circumstances shall not be affected thereby.
- Section 3. Amendment of Chapter. Amending Title 12-Streets, Sidewalks and Public Places, Chapter 12.09, Section 12.09.010-Streets and Roads Commission, is hereby amended and added to the Thorne Bay Municipal Code.
- Section 4. Effective Date. This ordinance shall become effective upon adoption.

PASSED AND APPROVED July 16, 2019

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Harvey McDonald, Mayor

ATTEST:

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Teri Feibel, City Clerk

[Introduction: July 2, 2019]  
[Public Hearing: July 16, 2019]

ADDITIONS ARE IN BOLD AND CAPITALIZED

Deleted items are ~~stricken~~

Thorne Bay Municipal Code

CHAPTER 12.09 STREETS AND ROADS COMMISSION  
SECTION 12.09.010-STREETS AND ROADS COMMISSION

Is hereby amended and shall read as follows:

12.09.010 STREETS AND ROADS COMMISSION.

There is established the Streets and Roads Commission for the city to assist and advise the city with respect to streets and roads maintenance and improvement projects. Chapter 2.42, “Committees, Boards, and Commissions” provides for the establishment and operation of Committees, Boards, and Commissions. Unless stated otherwise in Section 12.09.010 the establishment and operation of the Streets and Roads Commission shall comply with Chapter 2.42. The streets and roads commission shall consist of members from the community and the number of commission members shall be:

1. . two (2) from the South Thorne Bay Subdivision,
2. . two (2) from North Thorne Bay,
3. . one (1) from the Goose Creek Subdivision,
4. . one (1) from Greentree Heights Subdivision, and one
5. . (1) at large,

all of who shall be property owners within their respective areas. Members shall be appointed by the chief administrative officer and confirmed by the council.

Commission members shall elect a chairperson from members, subject to confirmation by the council, to conduct the affairs of the commission.

In the event that a streets and roads commission is not appointed, the **PLANNING COMMISSION, OR city council (IN THE ABSENCE OF PLANNING COMMISSION)** will perform the duties of the Streets and Roads Commission.

#### 12.09.020 DUTIES AND RESPONSIBILITIES.

Duties and responsibilities of the streets and roads commission are to develop and prepare a priority program for the maintenance, repair, construction and funding of roadways within the City of Thorne Bay. The priority program shall address but not be limited to vehicle and pedestrian safety, present and future uses, road classification, right of way and roadway ownership, parking and economic impacts to the local business, residents and city in general. Recommendations should be based on sound engineering practices using local, state and federal guidelines for streets and roads.